

**COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND**

2014 Legislative Session, Legislative Day No.: September 23, 2014

Resolution No.: 217


Introduced by: Mr. Hollis, Mr. Pack, Ms. Price

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TALBOT COMMERCE PARK, ADJACENT TO GLEBE ROAD, EASTON, MARYLAND, BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") CONSISTING OF APPROXIMATELY 125.057ACRES OF LAND, MORE OR LESS, INCLUDING MARYS COURT, MISTLETOE DRIVE, AND BRYAN DRIVE, PUBLIC ROADS OR STREETS, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING LIMITED INDUSTRIAL ("LI") ZONE, TO THE TOWN'S PROPOSED BUSINESS-COMMERCIAL ("BC") ZONE DOES NOT PERMIT LAND USES THAT ARE SUBSTANTIALLY DIFFERENT THAN THE EXISTING "LI" ZONING, AND FINDING THAT THE PROPOSED REZONING WILL NOT RESULT IN A SUBSTANTIALLY HIGHER DENSITY, NOT EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER EXISTING "LI" ZONING

By the Council: September 23, 2014

Introduced, read first time, and ordered posted, with Public Hearing scheduled on Tuesday, October 14, 2014 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Courthouse, 11 N. Washington St., Easton, MD 21601.

By order:


Susan W. Moran, Secretary

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TALBOT COMMERCE PARK, ADJACENT TO GLEBE ROAD, EASTON, MARYLAND, BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") CONSISTING OF APPROXIMATELY 125.057ACRES OF LAND, MORE OR LESS, INCLUDING MARYS COURT, MISTLETOE DRIVE, AND BRYAN DRIVE, PUBLIC ROADS OR STREETS, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING LIMITED INDUSTRIAL ("LI") ZONE, TO THE TOWN'S PROPOSED BUSINESS-COMMERCIAL ("BC") ZONE DOES NOT PERMIT LAND USES THAT ARE SUBSTANTIALLY DIFFERENT THAN THE EXISTING LI ZONING, AND FINDING THAT THE PROPOSED REZONING WILL NOT RESULT IN A SUBSTANTIALLY HIGHER DENSITY, NOT EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER EXISTING "LI" ZONING

1 WHEREAS, Local Gov't Article § 4-416, Md. Ann. Code, restricts the authority of a
2 municipality annexing land to allow development of the annexed land for a period of 5 years for
3 land uses substantially different than the authorized uses, or at substantially higher densities, not
4 exceeding 50%, than could be granted for the proposed development in accordance with the
5 county zoning classification applicable at the time of the annexation; and,
6

7 WHEREAS, the Town of Easton (the "Town") is proposing to annex Talbot Commerce
8 Park, located on the northeast side of Glebe Road, in the First Election District of Talbot County,
9 including Mary's Court, Mistletoe Drive, and Bryan Drive, public roads, roadways, or streets
10 located therein, pursuant to Ordinance No. 642 and Resolution No. 6033 introduced before the
11 Easton Town Council and pending final approval and adoption; and,
12

13 WHEREAS, Talbot Commerce Park is currently in the Limited Industrial ("LI") zone;
14 upon annexation the Town proposes to rezone the property into the Business-commercial ("BC")
15 zone; and,
16

17 WHEREAS, the Town has requested the County to determine whether a rezoning of the
18 annexed property from LI (County) to BC (Town) would or would not allow development of the
19 annexed land for land uses substantially different than the authorized use, or at a substantially
20 higher density, not exceeding 50%, than could be granted for the proposed development in
21 accordance with the zoning classification of the County applicable at the time of annexation.
22

23 NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT
24 COUNTY, MARYLAND, that:
25

26 1. The County Council finds that the rezoning of the annexed land from its current
27 Limited Industrial ("LI") zoning classification to the proposed Business-Commercial ("BC")
28 zoning classification would NOT allow development of the annexed land for land uses
29 substantially different, or at a substantially higher density, not exceeding 50%, than could be
30 granted for the proposed development in accordance with the County's Limited Industrial ("LI")
31 zoning classification.

32 2. The County Council finds that the predicate for the restriction upon municipalities'
33 power to rezone set forth in Local Gov't Article § 4-416, Md. Ann. Code, does not exist with
34 respect to this proposed annexation.

35 3. Accordingly, the County Council recognizes that the Town may rezone the annexed
36 property from its current Limited Industrial ("LI") zoning classification to the proposed
37 Business-Commercial ("BC") zoning classification upon annexation, without any required 5-year
38 interval.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon the date of its passage.

PUBLIC HEARING

Having been posted, and a Notice of the Time and Place of the Public Hearing, and the Title of Resolution No. _____ having been published, a public hearing was held on _____, at _____ p.m, in the Bradley Meeting Room, South Wing, Talbot County Court House, 11 N. Washington St., Easton, Maryland.

BY THE COUNCIL

Read third time:

Enacted: _____

By order: _____
Susan W. Moran, Secretary

Pack -

Price -

Bartlett -

Duncan -

Hollis -

Effective Date: _____